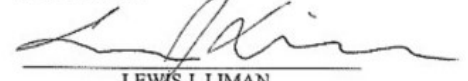




The parties should direct their request regarding the settlement conference to Judge Cott. The Court will take the motion to stay discovery under advisement.
Date: January 12, 2024

SO ORDERED.


LEWIS J. LIMAN
United States District Judge

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
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MATHEW V. JOHN, JR.
Senior Counsel
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January 11, 2024

Via ECF

Hon. Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street, Room 1620
New York, New York 10007

Re: *John Pappas et al. v. City of New York*
1:23-cv-06010-LJL

Dear Judge Liman:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendant, City of New York (“City”), in the above-referenced action. I write to respectfully request that the Court: (1) adjourn the parties’ upcoming February 5, 2024 settlement conference *sine die*; and (2) stay discovery in this matter due to, among other dispositive issues, the existence of two collective bargaining agreements between the labor union for Plaintiffs in the rank of sergeant and Defendant that mandate the arbitration of any claims brought pursuant to the Fair Labor Standards Act (“FLSA”). I have conferred in good faith with Plaintiffs’ counsel, Jacob Aronauer, Esq., via telephone regarding these requests. Aronauer consents to the first request, but objects to the second request.

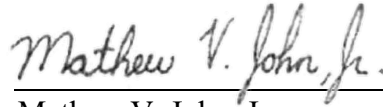
First, in a joint effort to save valuable judicial time and resources, the parties respectfully request that the Court adjourn the upcoming settlement conference that is scheduled to occur before the Hon. James L. Cott on February 5, 2024 *sine die*. The parties agree that participating in a settlement conference at this point would be nonproductive given, among other things, the arbitration issues that have arisen since our Initial Pretrial Conference on November 21, 2023.

Second, Defendant respectfully requests that the Court stay all current deadlines – including discovery deadlines – until the numerous dispositive issues raised by Defendant’s Motion to Dismiss (ECF Nos. 44-46) have been decided. For the reasons more fully briefed in Defendant’s moving papers, Defendant has good cause to believe that it will be a waste of time and resources for this action to continue to be litigated in this forum – at least as to those Plaintiffs who are required to arbitrate their claims – until those dispositive issues have first been resolved.

See Gross v. Madison Square Garden Ent. Corp., 23-CV-3380 (LAK) (JLC), 2023 U.S. Dist. LEXIS 185775, *4-6 (S.D.N.Y. Oct. 17, 2023).

I thank the Court for its consideration of these two requests.

Respectfully submitted,

A handwritten signature in cursive script that reads "Mathew V. John, Jr." is positioned above a horizontal line.

Mathew V. John, Jr.
Senior Counsel

cc: Via ECF
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